

9-166A056

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16382  
RECORDATION NO. FILED 1425

JUN 15 1989 -12 20 PM

INTERSTATE COMMERCE COMMISSION

June 15, 1989

Dear Ms. McGee:

On behalf of Chemical Bank New Jersey N.A., I submit for filing and recording under 49 U.S.C. Section 11303(a) and the regulations promulgated thereunder, the enclosed executed counterparts of a primary document, not previously recorded, entitled Equipment Mortgage Agreement, dated June 13, 1989.

The parties to the said enclosed Equipment Mortgage Agreement are:

Eastern Railway Supplies, Inc. - Mortgagor  
1005 Indian Church Road  
West Seneca, New York 14224

Chemical Bank New Jersey N.A. - Mortgagee  
Metro Park IV  
379 Thornall Street  
Edison, New Jersey 08837

The Equipment Mortgage Agreement, among other things, secures the repayment by the Mortgagor to the Mortgagee of a loan secured by railroad mounted cranes.

The rolling stock covered by the said Equipment Mortgage Agreement consists of those certain railroad mounted cranes listed in Schedule A attached thereto and any hereafter acquired.

A short summary of the document coverage to appear in the Index is as follows:

"All now owned or hereafter acquired railroad mounted cranes."

Enclosed is a check in the amount of thirteen dollars (\$13) in payment of the filing fee.

JUN 15 12 13 PM '89  
NOTED OFFICE

New Member

Handwritten signature/initials

Handwritten mark

Handwritten mark

- 2 -

Once this filing has been made, please return to bearer the stamped counterparts of the Equipment Mortgage Agreement not needed for your files, together with the fee receipt, the letter from the ICC acknowledging the filing, and the two extra copies of this letter of transmittal.

Very truly yours,

Allen H. Harrison, Jr.  
Attorney for the purpose of  
this filing for  
Chemical Bank New Jersey N.A.

Honorable Noreta R. McGee  
Secretary  
Interstate Commerce Commission  
Washington, D.C. 20423

Enclosures

AHH/iw

BY HAND

16382

RECORDATION NO. \_\_\_\_\_ FILED 1423

JUN 15 1989 -12 20 PM

INTERSTATE COMMERCE COMMISSION

EQUIPMENT MORTGAGE AGREEMENT

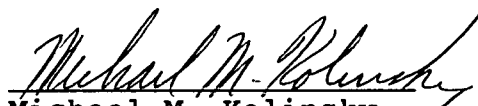
The parties hereto agree that pursuant to the terms of a Loan and Security Agreement dated June 13, 1989, by and among Eastern Railway Supplies, Inc., as Borrower, Chemical Bank New Jersey N.A. as Bank, and others, Eastern Railway Supplies, Inc. hereby bargains, sells, conveys and mortgages, and hereby grants a security interest, to Chemical Bank New Jersey N.A., in all right, title and interest of Eastern Railway Supplies, Inc. in and to the following property:

All now owned or hereafter acquired railroad mounted cranes and all proceeds and products thereof, and all accessories and accessions attached thereto, and all related warranties, all proceeds (including insurance proceeds) and products thereof, and all substitutions therefor ("Equipment").

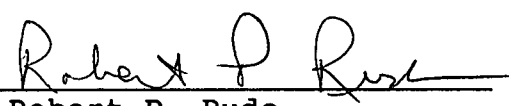
Eastern Railway Supplies, Inc. represents and warrants that the Equipment it now owns is listed on Schedule A annexed hereto.

IN WITNESS WHEREOF, the undersigned have executed this Equipment Mortgage Agreement the 13th day of June, 1989.

ATTEST:

  
Michael M. Kolinsky  
Secretary/Treasurer

EASTERN RAILWAY SUPPLIES, INC.

By:   
Robert P. Rude  
President

[SEAL]

061289P817

ATTEST:



[SEAL]

CHEMICAL BANK NEW JERSEY,  
N.A.

By:



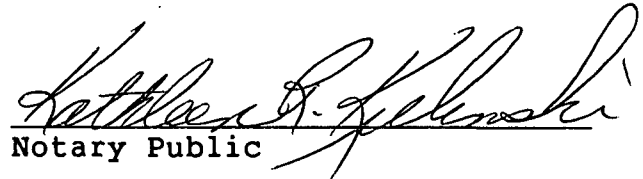
Robert A. Mills  
Vice President

CHEMICAL BANK NEW JERSEY, N.A.

STATE OF NEW JERSEY   )  
                                  )   ss.:  
COUNTY OF ESSEX       )

On this 13th day of June, 1989, before me personally appeared Michael M. Kolinsky to me known, who being by me duly sworn, says that he is a Secretary/Treasurer of Eastern Railway Supplies, Inc.; that the seal affixed to the foregoing instrument is the corporate seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and he acknowledges that the execution of the foregoing instrument was the free act and deed of such corporation.

[NOTARY'S SEAL]

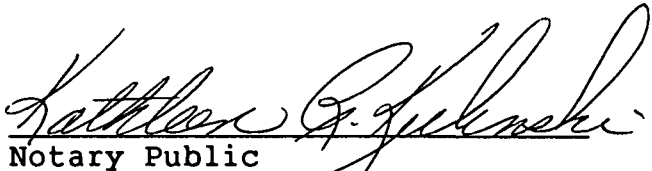
  
Notary Public

KATHLEEN R. KULINSKI  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Apr. 5, 1993

STATE OF NEW JERSEY   )  
                                  )  
COUNTY OF ESSEX        ) ss.:

On this 13th day of June, 1989, before me personally appeared Robert A. Mills to me known, who being by me duly sworn, says that he is a Vice President of Chemical Bank New Jersey, N.A.; that the seal affixed to the foregoing instrument is the corporate seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and he acknowledges that the execution of the foregoing instrument was the free act and deed of such corporation.

[NOTARY'S SEAL]

  
Notary Public  
KATHLEEN R. KULINSKI  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Apr. 5, 1993

EQUIPMENT  
SCHEDULE "A"

RAIL CRANE  
MODEL, SERIAL NO.  
herein designated as  
ICC Identification No.

LESSEE

American Hoist & Derrick  
830-DE, J-3378

Yonkers

American Hoist & Derrick  
840-DE, J-2621

Consolidated Rail Corp.

American Hoist & Derrick  
825-DE, J-2613

Consolidated Rail Corp.

American Hoist & Derrick  
5030-DE, L-4156

Consolidated Rail Corp.

American Hoist & Derrick  
5030-DE, L-4018

Consolidated Rail Corp.

Little Giant Crane  
LG-32, 327811

Consolidated Rail Corp.

American Hoist & Derrick  
830-DE, L-2619

Metro North Commuter Railroad

American Hoist & Derrick  
830-DE, J-3282

Consolidated Rail Corp.

American Hoist & Derrick  
840-DE, J-3456

Laclede Steel

Little Giant Crane  
LG-32, 327705

Consolidated Rail Corp.

American Hoist & Derrick  
830-CUD, J-3411

Available

American Hoist & Derrick  
830-DE, J-3027

Available

American Hoist & Derrick  
830-GMD, J-3303

Available

American Hoist & Derrick  
410-GMD, J-2445

Available